

Addendum 2**PROGRAM REPORT****IRRIGATED LANDS CONDITIONAL WAIVER PROGRAM****Progress of Coalition Groups and Individual Dischargers**

The following nine coalition groups have received Notices of Applicability to represent identified groups of growers within their designated jurisdictions:

- Sacramento Valley Water Quality Coalition
- California Rice Commission
- San Joaquin County and Delta Water Quality Coalition
- East San Joaquin Water Quality Coalition
- Westside San Joaquin River Watershed Coalition
- Westlands Water District
- Southern San Joaquin Valley Water Quality Coalition
- Root Creek Water District
- Goose Lake Coalition

In March 2005, Regional Board staff was informed that growers in the San Luis Water District in the San Joaquin Valley are in the process of forming a coalition group. San Luis Water District coalition group representatives are proposing to submit a Notice of Intent and General Report (with proposed updated and expedited compliance schedule) to the Regional Board by the end of April 2005. Regional Board staff is working closely with conditional waiver applicants that need to catch up with the compliance schedule in the waivers.

The following seven entities have filed for coverage under the Conditional Waiver for Individual Dischargers:

- The Modesto Irrigation District
- The Merced Irrigation District
- The Oakdale Irrigation District
- The Turlock Irrigation District
- The South San Joaquin Irrigation District
- Berry Blest (Organic) Farm
- Western Agricultural Services

The management and documentation of coalition group and discharger information is crucial for the success of the short-term Conditional Waiver Program and long-term water quality improvement resulting from the proposed 10-year Irrigated Lands Program. Dischargers continue submitting the required reports and monitoring data as required by the Conditional Waivers. Regional Board staff has created a database to manage the vast amount of administrative and monitoring/reporting information being submitted for compliance with the Conditional Waivers. The database currently includes identification of Coalition Groups and Individual Dischargers covered by the waivers, general description and location of irrigated land uses, and Conditional Waiver compliance submittals and corresponding discharger issues. Staff has also begun Coalition Groups/discharger training necessary to maximize the compatibility of discharger monitoring data reports with the format required for the Water Board's Surface Water Ambient Monitoring Program.

Grower Participation

The percentage of grower participation within the individual coalition groups and different subwatershed areas throughout the Central Valley Region vary greatly. Regional Board staff will be requesting updated information from Coalition Group representatives regarding the current grower participation within the coalition boundaries and counties. Current percent participation, estimated by Regional Board staff based on previous discussions with Coalition Group presentations, are shown in the table below.

Coalition Group	Total Group Irrigated Lands Acreage	Group Estimated Percent Participation	Estimated Acreage Not Covered By Waiver Program
Sac Valley Water Quality Coalition	2,145,000	60%	858,000
California Rice Commission	500,000	100%	0
Goose Lake Coalition Group	7300	TBD	TBD
East San Joaquin Water Quality Coalition	633,812	80%	126,760
San Joaquin County and Delta Coalition	558,575	60%	223,430
Westside San Joaquin River Watershed Coalition	334,000	60%	133,600
SSJWQCG (Tulare Lake Basin)	4,400,000	70%	1,320,000
Westlands Water District	570,000	75%	142,500
Root Creek Water District	26,000	70%	7,800

Discharger Monitoring And Reporting

All Regional Board-approved Coalition Groups, except the East San Joaquin Water Quality Coalition, the San Joaquin County and Delta Coalition, and the Goose Lake Coalition have received approval of their Monitoring and Reporting Programs. The East San Joaquin Water Quality Coalition, the San Joaquin County and Delta Coalition have received approval of their monitoring activities. Regional Board Staff is assisting these three groups to address the pending issues and gain approval of their Watershed Evaluations and Monitoring and Reporting Program Plans (MRP Plan). All Coalition Groups, except the Goose Lake Coalition, submitted their Annual Monitoring Reports by the due date of 1 April 2005. The reports include water quality monitoring results for sampling during the 2004 irrigation season and the 2004/2005 winter stormwater season.

Phase I Monitoring Status

Regional Board staff and University of California Davis (UC Davis) Aquatic Toxicity Laboratory (ATL) have completed the Phase I water quality monitoring efforts. The purpose of the Phase I investigation was to gain an understanding of the relationship between surface water quality in agricultural drains and irrigation runoff. The investigation was conducted primarily through toxicity testing to evaluate water quality in agricultural drains and identify the cause of water quality impacts in agricultural-dominated waterways. ATL conducted this monitoring under a contract with the Regional Board. The project area encompassed a 150-mile radius in the Sacramento, Delta, and San Joaquin River Watersheds. The *Phase I Water Quality Investigation Report* is posted on the Regional Board's website.

Phase II Monitoring Status

Regional Board staff is continuing the Phase II water quality monitoring. Phase II of the program was contracted to UC Davis Aquatic Ecosystem Analysis Laboratory and the California Department of Fish and Game (CDFG).

Irrigation season water quality monitoring occurred from 8 July through 16 September 2004. A total of 31 sites were sampled with most sites being sampled once every two weeks up to a maximum of five times each. Due to very low flows, not all sites could be sampled during every sample period. A total of 132 samples were collected and analyzed. Samples were analyzed for toxicity, pesticides, metals, nutrients, physical parameters, and drinking water constituents. Thirty-three sediment samples were collected and analyzed for toxicity and sediment chemistry by UC Berkeley.

One hundred and thirty surface water samples were collected for each of the five pesticide groups: organochlorine (OCH) pesticides, organophosphate (OP) pesticides, pyrethroids, carbamates and herbicides. The most commonly detected pesticide was chlorpyrifos (37%), followed by diuron (18%), diazinon (17%), and dimethoate (16%). The frequencies of detection for the other pesticides ranged between 0 - 7%. The maximum concentration for detected compounds was 9.72 µg/L of aldicarb at Spring Creek at Walnut Drive.

Technical Issues Committee

The intent of the Technical Issue Committee (TIC) is to assist Coalition Groups in ensuring that the data collected under their respective monitoring programs is scientifically sound and can be used to determine the impacts, if any, of discharges from irrigated lands to waters of the state. The TIC only addresses technical issues associated with the Conditional Waivers and the Monitoring and Reporting Programs. Policy issues will generally be resolved separately and may be decided by the Regional Board.

Several focus groups were formed to address the technical issues brought up at the meeting. The focus group topics include bioassessment, sample containers, toxicity, data interpretation, and sediment. Regional Board staff has held conference calls with three of the focus groups (bioassessment, sample container and toxicity trigger) to discuss these issues. A schedule for 2005 TIC and focus group meetings has been developed and sent to the TIC mailing list.

At the 2 March 2005 TIC meeting, Regional Board staff presented the current policies of Regional Board and the Basin Plan data interpretation. The status of sample container issues was also discussed in this meeting. At the 5 April TIC meeting, bioassessment issues were discussed and California Department of Fish and Game staff made a presentation. The toxicity and sample container focus groups also provided progress reports at this meeting.

Technical Advisory Committee

The last Technical Advisory Committee (TAC) meeting was held on 10 November 2004. Staff presented a summary of the *Phase I Monitoring Draft Report* and asked for comments. UC Davis and Regional Board staff addressed comments received from the TAC members. Members of TAC requested that the Water Districts located in the geographic area of the monitoring sites review the Phase I report also. The draft report was sent to the Water Districts on 24 January 2005 for comments. Comments were received on 14 February 2005 and were addressed by staff in the final report.

Public Advisory Committee

The last Public Advisory Committee (PAC) meeting was held on 14 February 2005 in Modesto. Agenda topics included a status of Regional Board monitoring, coalition group updates on the status of Conditional Waiver activities and monitoring programs, a presentation on the Policy for Implementation and Enforcement of Non-Point Source Pollution Control Program, and a status of the EIR, Prop 50 grants and proposed fees. Approximately sixty people were in attendance. The next Public Advisory Committee meeting is scheduled for 9 May 2005 in Modesto.

Outreach

Regional Board staff has conducted an extensive amount of education and outreach effort to maximize the amount of program information to growers and to increase member participation in coalition groups.

On the evening of 3 February, Diana Messina attended the Upper Feather River Subwatershed growers meeting in Quincy. She gave a presentation on the Irrigated Lands Program and current issues to an audience of county agricultural commissioners, growers and stakeholders. Approximately 70 people were in attendance.

On 10 February, Bill Croyle, Diana Messina, Margie Lopez-Read and Dennis Heiman met with Sacramento Valley Water Quality Coalition representatives and subwatershed group representatives in the Goose Lake and Pit River areas. During this meeting, issues on the required toxicity monitoring and follow through requirements for toxicity findings were discussed. Also discussed was the formation of the new Goose Lake area coalition group.

On 8 March, Shakoora Azimi-Gaylon attended the East San Joaquin Valley Water Quality Coalition growers meeting in Merced. Those in attendance were growers in the watershed covered by the Eastside Coalition. Staff presented the update on monitoring and fees for the Irrigated Lands Conditional Waiver Program.

On 8 March, Diana Messina gave an informal Irrigated Lands Program presentation and update to the interim board of directors of the Shasta/Tehama Water Education Coalition (subwatershed group) in Cottonwood. Eight subwatershed staff and one farm advisor were present at this meeting. Issues discussed included current monitoring requirements, subwatershed coordination with the greater Sacramento Valley Water Quality Coalition, and compliance issues.

On 11 March, Diana Messina and Taro Murano attended the 2005 Prune Day in Red Bluff. No staff presentation was given at this event. However, staff spoke with agricultural commissioners, growers and farm advisors to continue coordination efforts among irrigated lands stakeholders. Approximately 50 people attended this growers training event.

On 17 March, Diana Messina attended a growers meeting facilitated by subwatershed leaders in the Upper Pit River Watershed area. She gave a formal presentation on the current Irrigated Lands Conditional Waiver Program, monitoring requirements and the Central Valley Water Board staff focus on Program compliance and enforcement. The audience consisted of subwatershed group leaders, growers, farm advisors and Natural Resources Conservation Service representatives. Approximately 80 people were present.

On 22 March, Diana Messina, Taro Murano, and Wendy Stewart attended a growers meeting in Madera. Diana Messina gave a formal presentation on the Irrigated Lands Conditional Waiver Program and current issues to a very contentious group of growers who had many questions regarding the California Water Code Section 13267 orders (letters) that many folks in the audience received. Approximately 60 people were in attendance.

On 23 March, Diana Messina and Taro Murano attended a Management Practice Field Day growers meeting in Lockeford (Lodi). Diana Messina gave a formal presentation on the Irrigated Lands Conditional Waiver Program and current issues. The audience consisted of farm advisors, local, state and federal regulatory representatives, local growers, agricultural county commissioners, and adjacent municipality representatives. Approximately 100 people were present.

On 24 March, Diana Messina and Wendy Cohen attended a growers meeting in Modesto. Diana Messina gave a formal presentation on the Irrigated Land Conditional Waiver Program to a group of approximately 50 growers.

On 14 April, Diana Messina gave a formal presentation on the Irrigated Lands Conditional Waiver Program as part of a farm water quality management series of training for growers. This training was facilitated in collaboration with the local Resource Conservation District, NRCS, the Farm Bureau, the Sacramento River Watershed Program, and the UC Cooperative Extension. This event was a combination of classroom teaching and field demonstration activity.

Regional Board staff also has conducted outreach efforts using informational postcards. Approximately 18,823 postcards were sent out to growers in the Central Valley Region, and at the same time, Regional Board staff notified the Department of Pesticide Regulation, and the appropriate Agricultural Commissioners and Coalition Groups. Approximately 2,000 growers returned the self-addressed detachable postcards requesting further program information. The Irrigated Lands Conditional Waiver Program newsletters, brochures, and other informational items were sent to the growers requesting additional information by mail.

Initial Program Compliance Measures Taken

Regional Board staff prepared a California Water Code (CWC) Section 13267 letter for the Irrigated Lands Conditional Waiver Program. This letter was written in a manner to serve both as an additional educational tool to inform growers of their alternatives to meet CWC requirements and a requirement for the recipient to submit a technical report.

Under the Executive Officer's signature, the Board issued a CWC Section 13267 letter to 88 growers. Regional Board staff used public information available to identify 13 growers in Yolo County, 16 growers in Fresno County, and 59 growers in Madera County who may not be participating in the Conditional Waiver Program and have high potential to discharge directly from their property to a major surface water body. Other criteria used include the (1) geographic location and topographic features of all or part of their irrigated lands, (2) proximity to major surface waters with identified water quality problems, and (3) potential for discharge from their irrigated land to impact surface water quality.

The letter, dated 4 March 2005, is an integral part of the Regional Board's overall effort to maximize program compliance while educating and informing growers of legal requirements. The letter recipient is required to submit a written report on the description of their irrigated lands and the current status of compliance with CWC requirements. To simplify the reporting requirement, a one-page form was provided with the letter to be completed and submitted as the required report.

Of the 88 letters sent, forty reports were submitted as of 8 April 2005. Twenty-two of the thirty four responses included proof of new membership to coalition groups that were dated after the date of the CWC Section 13267 letters issued. Four reports showed proof of existing membership and two reports indicated the sale of the land or the use of the land for non-agricultural purposes. The remaining six of the reports submitted indicate that the growers do not believe they have runoff from their sandy-soiled lands, not even in storm events. This is a common report that staff is receiving from many growers and agricultural commissioners in the eastside of the San Joaquin Valley. For these reports, staff will verify whether subsurface drainage discharges in drainage channels, which are considered waters of the State or other site specific conditions that support their position. If there is a discharge or threat of discharge to surfaces waters, the grower will need to further consider coverage under a conditional waiver or obtain WDRs to comply with the CWC. Otherwise, additional action by the Regional Board may be necessary.

Staff's effort to identify owners and /or operators of irrigated agricultural lands and develop a contact list of those not complying with the CWC was and will continue to be very resource intensive. Staff received a limited response to the Regional Board's request for assistance in acquiring information to further identify growers or dischargers that are non-participating in the Conditional Waiver Program or otherwise complying with the Water Code. This limited response did not provide any specific information to address the identification issue. Therefore, limited indirect information, such as land use maps, county assessor information, and pesticide use reports took a lot of staff time to begin a limited level of enforcement

activity. To enable staff to develop a more comprehensive list of non-participants on a region wide basis may require additional resources and funding.

The next steps Irrigated Program staff plan on taking are (1) 100 percent follow-up on 88 CWC Section 13267 letter recipients that did not submit a technical report, and (2) identification of further non-participants, such as growers in the Upper Pit River Subwatershed, Colusa County, Sacramento and San Joaquin that are jeopardizing the success of the Conditional Waiver Program.

Environmental Impact Report

Regional Board staff has initiated the EIR process, which involves developing a Scope of Work and contract bid from Jones and Stokes. Several meetings to coordinate these activities have been held between Regional Board staff and Jones and Stokes, which has submitted a draft Scope of Work. Negotiations between staff and Jones and Stokes are ongoing to reach an acceptable final document for contract preparation. It is anticipated contract documents will be finalized and submitted to State Board for processing by mid April and that a fully executed agreement will be in place in May 2005.

Additional Program Workload

In January 2005, Regional Board staff prepared a detailed work plan illustrating the necessary staff resources for the Irrigated Lands Conditional Waiver Program. The work plan detailed work tasks to be conducted by 18 person-years (PYs) of staff. This work plan notes that the resources necessary to properly implement this program are 34 PYs.

The workload detailed in the January 2005 work plan and expected of Irrigated Lands Program staff has increased. This increase is due to program staff's (1) participation as contract managers for the State Board's Agricultural Water Quality Grant Program and (2) review of Runoff Management Plans for the Sacramento/Feather River Diazinon TMDL, as required to meet the Regional Board's Basin Plan and conditions of the Irrigated Lands Conditional Waiver Program.

Staff estimates the need for 0.3 PY for the AWQGP contract management tasks and 1.0 PY for the tasks associated with the diazinon TMDL. The reduction of 1.3 PYs from the previously established work plan will result in a decrease of staff proposed to conduct education and outreach tasks and prepare interim program policy.

Irrigated Lands Program Staff Changes

The staff organization chart for Central Valley Water Board staff includes 16 person-years (PYs) of Irrigated Lands Program staff in the Sacramento Office and 2.3 PYs of Program staff in the Fresno office. The staff organization is as follows:

Sacramento Office – 16.0 PYs

William A. Croyle, Section Chief

Policy and Planning Unit

Wendy L. Cohen, Senior Water Resource Control Engineer

- Edward Hard, Environmental Scientist
- Allison Kunz, Environmental Scientist
- Two vacant staff level positions

Monitoring and Assessment Unit

Margie Lopez-Read, Senior Environmental Scientist

- Melissa Morris, Environmental Scientist
- John Swanson, Environmental Scientist
- Two vacant staff level positions

Public Outreach and Compliance Unit

Diana C. Messina, Senior Water Resource Control Engineer

- Taro Murano, Environmental Scientist
- Wendy Stewart, Sanitary Engineering Technician Trainee
- Two vacant staff level positions

Fresno Office – 2.3 PYs

Agricultural Return Unit

Russell M. Wall, Senior WRC Engineer (only 0.3 PY for Irrigated Lands Conditional Waiver Program)

- Anneè M. Ferranti, Environmental Scientist (Interim - Phasing out)
- Peter A. Osmolovski, Engineering Geologist (Interim - Phasing out)
- Alan Cregan, Engineering Geologist (Phasing in)
- Anthony Medrano, Sanitary Engineering Associate (Phasing in)